



SCAROLA ZUBATOV SCHAFFZIN PLLC

October 25, 2021

Hon. Denise L. Cote  
United States District Judge  
United States District Court — Southern District of New York  
United States Courthouse  
500 Pearl Street — Room 1910  
New York, NY 10007

Re: *Koestler v. Shkreli*, No. 16-cv-7175 (DLC)

Dear Judge Cote:

We represent the Petitioner/Judgment Creditor and write further to our letter motion dated October 21, 2021 (ECF #153), as to disbursement of the \$50,000 remitted by Brafman & Associated, P.C. The Court denied that letter motion by Order dated October 22, 2021. (ECF #159)

Mr. Abbott, as the Receiver appointed by the Court, has asked that we remit the funds to him at an escrow account of the law firm in which he is a partner, Morris, Nichols, Arsht & Tunnell LLP, in Delaware. We are prepared to do so, and request that the Court direct that we do so.

If the Court directs that transfer of the funds (whether to the Petitioner or the Receiver) should be made upon a formal application in accordance with NY CPLR 5225(b), we would of course proceed in that way with such an application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard J. Scarola', written over a circular stamp or seal.

Richard J. Scarola

By ECF

*Follow the directions of the Receiver.*

A handwritten signature in black ink, appearing to read 'Denise Cote', with the date '10/25/21' written below it.

10/25/21